

EXHIBIT B

QUINE INTELLECTUAL PROPERTY LAW GROUP P.C.

2033 Clement Avenue, Suite 200
Alameda, CA 94501
Internet address: www.quinelaw.com

Phone: (510) 337-7871
Fax: (510) 337-7877
Email: jaquine@quinelaw.com

December 3, 2004

VIA FEDERAL EXPRESS Tracking No. 7914 0651 7837

Peter Palese
414 Highwood Avenue
Leonia, NJ 07605

RE: U.S. Patent Application No. 09/396,539 for
RECOMBINANT NEGATIVE STRAND RNA VIRUS EXPRESSION
SYSTEMS AND VACCINES
Inventors: Peter Palese, et al.
Filed: September 14, 1999
Your Ref.: NS104D1
Our File No.: 26-003700US

Dear Dr. Palese:

Our firm is handling the patent prosecution for the above matter on which you are an inventor. As you are aware from your discussion with Jonathan Klein-Evans at MedImmune, we need to correct inventorship on this application. Based on the claims being pursued in this application, we need to change from the inventors of the bi-cistronic subject matter that is exemplified in the later filed Section 10 (Palese and Garcia-Sastre) back to the original inventors of the subject matter disclosed in the 1989 and 1990 filings, as disclosed in Sections 1-9 (Palese, Parvin, and Krystal). Effecting this change in inventorship requires your execution of the enclosed document which is a declaration affirming that you are an inventor. Also attached is a copy of the current application and claims.

Please keep the documents, including the declaration, application, and claims, in strictest confidence. The material is under assignment to MedImmune and should NOT be disclosed or disseminated to others. Additionally, please correct any mistakes in the declaration concerning your current address, citizenship, or name spelling, or contact us with the corrections so that we may send you updated versions of such documents.

Also, since we must file these papers in the U.S. Patent and Trademark Office no later than December 14, 2004, we would greatly appreciate your sending the executed

QUINE INTELLECTUAL PROPERTY
LAW GROUP, P.C.

PAGE: 2
December 3, 2004

document at your earliest convenience, preferably no later than December 8, 2004. For your convenience we have included a fax cover and a stamped addressed envelope. Please fax us a copy of the signed document AND mail the signed original to us as well. If you have any questions whatsoever please contact Jonathan Klein-Evans or myself.

Again, thank you very much for your help in this matter.

Sincerely,

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.



Paul Littlepage

PBL:agw

Enclosures: Inventorship Declaration to sign and return
Copy of application and claims
Self Addressed Fax Cover Sheet and Return Envelope

cc: Jonathan Klein-Evans, MedImmune Vaccines, Inc.

From: Origin ID: (510)337-7871
 JONATHAN ALAN QUINE
 Quine Intellectual Property Law Grp
 2033 CLEMENT AVENUE, SUITE 200

ALAMEDA, CA 94501



CL399140-0560

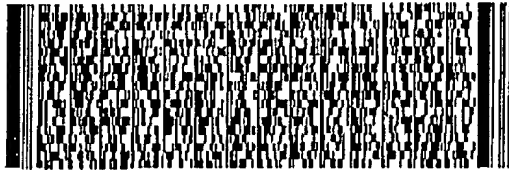
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Peter Palese

414 Highwood Avenue

Leonia, NJ 07605



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 Actual Wgt: 11.9
 System#: 2656889/NET2000
 Account#: S *****

REF: 26-003700US



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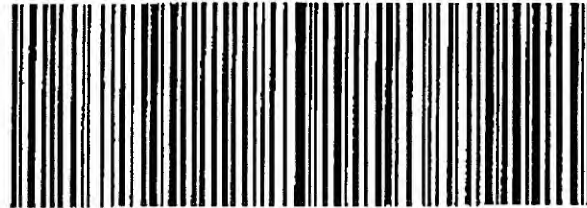
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Amy Weintraub

From: aweintraub@quinelaw.com
Sent: Friday, December 03, 2004 12:59 PM
To: aweintraub@quinelaw.com
Subject: FedEx shipment 791406517837

JONATHAN ALAN QUINE of Quine Intellectual Property Law Grp sent Peter Palese a Priority Overnight FedEx Envelope.

This shipment is scheduled to be sent on 03DEC04.

The sender included the following message:
"26-003700US"

The tracking number(s) are: 791406517837

To track this shipment online click on the following link:
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Amy Weintraub

From: FedEx [donotreply@fedex.com]
Sent: Monday, December 06, 2004 6:51 AM
To: aweintraub@quinelaw.com
Subject: FedEx shipment 791406517837

Our records indicate that the shipment sent from JONATHAN ALAN QUINE/Quine Intellectual P to Peter Palese has been delivered.

The package was delivered on 12/06/2004 at 9:44 AM and signed for or released by 10914275.

The ship date of the shipment was 12/03/2004.

The tracking number of this shipment was 791406517837.

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Klein-Evans, Jonathan

EXHIBIT C

From: Klein-Evans, Jonathan
Sent: Friday, March 04, 2005 11:38 AM
To: 'Todd Pazdera (E-mail)'
Subject: RE: Patent Discussion

Dear Todd,

Further to our telephone conference of February 25, I am confirming that the lineage of the patent application at issue is as follows:

**This appln is a CON of 09/106,377 06/29/1998, now Pat 6,001,634
which is a DIV of 08/252,508 06/01/1994, now Pat 5,854,037
which is a CIP of 08/190,698, 02/01/1994, now ABN
which is a CON of 07/925,061, 08/04/1992, now ABN
which is a DIV of 07/527,237, 05/22/1990, now Pat 5,166,057**

The application was originally filed with inventors Palese and Garcia-Sastre listed, as they are the inventors of the 6,001,634 patent. The pending claims are based on the disclosure contained in the 5,166,057 patent, hence the need to change inventorship to Palese, Parvin, and Krystal.

I would appreciate your decision as soon as possible.

Best regards,

Jonathan

Jonathan Klein-Evans
Senior Director, Intellectual Property
MedImmune, Inc.
One MedImmune Way
Gaithersburg, MD 20878
(301) 398-4156 - phone
(301) 398-9156 - fax
klein-evansj@medimmune.com

-----Original Message-----

From: Klein-Evans, Jonathan
Sent: Wednesday, February 16, 2005 7:06 PM
To: Todd Pazdera (E-mail)
Subject: Patent Discussion

Dear Todd,

Thank you for returning my telephone call earlier today and letting me know that you are still trying to get sufficient information to address my request. After I mentioned to you on the phone that I would call you to follow up this coming Monday, I realized that Monday is a federal holiday. Thus, I will call you on Tuesday instead. As we discussed, however, I would appreciate your calling me should you obtain sufficient information in the meantime.

Therefore, as I requested in our January 31, 2005 telephone call, I would appreciate your communicating to Drs. Palese and Garcia-Sastre as soon as possible that the execution of the documents we sent them presents no conflict with their obligations to MSSM.

Best regards,

Jonathan

Jonathan Klein-Evans
Senior Director, Intellectual Property
MedImmune, Inc.
One MedImmune Way
Gaithersburg, MD 20878
(301) 398-4156 - phone
(301) 398-9156 - fax
klein-evansj@medimmune.com

Klein-Evans, Jonathan

EXHIBIT D

From: Pazdera, Todd [todd.pazdera@mssm.edu]
Sent: Friday, March 11, 2005 4:59 PM
To: Klein-Evans, Jonathan
Cc: Palese, Peter; Garcia-Sastre, Adolfo; McGrath, Patrick
Subject: RE: Patent Discussion

Dear Jonathan,

Thank you for your email. Based on the information you provided, we respectfully submit that the determination of inventorship of MedImmune/Aviron/Vector owned inventions is a matter between MedImmune and the inventors. While you have informed us that two of the inventors work @ MSSM, we believe there is no further role for the institution in this process. By copy of this email we are notifying Peter and Adolfo of the above conclusion.

Kind regards,

Todd

Todd M. Pazdera, Ph.D.
Assistant Director
Mount Sinai School of Medicine
Office of Industrial Liaison
Box 1675
One Gustave L. Levy Place
New York, NY 10029
Ph. (212) 659-8680
Fax (212) 348-3116

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Dear Todd,

Further to our telephone conference of February 25, I am confirming that the lineage of the patent application at issue is as follows:

6,001,634 This appln is a CON of 09/106,377 08/29/1998, now Pat
5,854,037 which is a DIV of 08/252,508 08/01/1994, now Pat
5,166,057 which is a CIP of 08/190,698, 02/01/1994, now ABN
which is a CON of 07/925,061, 08/04/1992, now ABN
which is a DIV of 07/527,237, 05/22/1990, now Pat

The application was originally filed with inventors Palese and Garcia-Sastre listed, as they are the inventors of the 6,001,634 patent. The pending claims are based on the disclosure contained in the 5,166,057 patent, hence the need to change inventorship to Palese, Parvin, and Krystal.

I would appreciate your decision as soon as possible.

Best regards,

Jonathan

Jonathan Klein-Evans
Senior Director, Intellectual Property
MedImmune, Inc.
One MedImmune Way
Gaithersburg, MD 20878
(301) 398-4156 - phone
(301) 398-9156 - fax
klein-evansj@medimmune.com

EXHIBIT E

QUINE INTELLECTUAL PROPERTY LAW GROUP P.C.

2033 Clement Avenue, Suite 200
Alameda, CA 94501
Internet address: www.quinelaw.com

Phone: (510) 337-7871
Fax: (510) 337-7877
Email: jaquine@quinelaw.com

March 14, 2005

VIA FEDERAL EXPRESS Tracking No. 7922 2937 2540

Peter Palese
414 Highwood Avenue
Leonia, NJ 07605

RE: U.S. Patent Application No. 09/396,539 for
RECOMBINANT NEGATIVE STRAND RNA VIRUS EXPRESSION
SYSTEMS AND VACCINES
Inventors: Peter Palese, et al.
Filed: September 14, 1999
Your Ref.: NS104D1
Our File No.: 26-003700US

Dear Dr. Palese:

Our firm is handling the patent prosecution for the above matter on which you are an inventor. As you are aware from your discussions with Jonathan Klein-Evans at MedImmune and Todd Pazdera at Mt. Sinai, we need to correct inventorship on this application as soon as possible. Based on the allowed claims, we need to change from the inventors of the bi-cistronic subject matter that is exemplified in the later filed Section 10 (Palese and Garcia-Sastre) back to the original inventors of the subject matter disclosed in the 1989 and 1990 filings, as disclosed in Sections 1-9 (Palese, Parvin, and Krystal). Effecting this change in inventorship requires your execution of the enclosed document which is a declaration affirming that you are an inventor. Also attached is a copy of the current application and claims.

Please keep the documents, including the declaration, application, and claims, in strictest confidence. The material is under assignment to MedImmune and should NOT be disclosed or disseminated to others. Additionally, please correct any mistakes in the declaration concerning your current address, citizenship, or name spelling, or contact us with the corrections so that we may send you updated versions of such documents.

Also, because of the impending issuance of this application, we would greatly appreciate your sending the executed document at your earliest convenience, preferably no later than March 18, 2005. For your convenience we have included a fax cover and a stamped addressed envelope. Please fax us a copy of the signed document AND mail the

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PAGE: 2
March 14, 2005

signed original to us as well. If you have any questions whatsoever please contact Jonathan Klein-Evans or myself.

Again, thank you very much for your help in this matter.

Sincerely,

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.



Paul Littlepage

PBL:agw

Enclosures: Inventorship Declaration to sign and return
Copy of application and claims
Self-Addressed Fax Cover Sheet and Return Envelope

cc: Jonathan Klein-Evans, MedImmune Vaccines, Inc.

From: Origin ID: (510)337-7871
 JONATHAN ALAN QUINE
 Quine Intellectual Property Law Grp
 2033 CLEMENT AVENUE, SUITE 200

ALAMEDA, CA 94501



CUA12380-00012

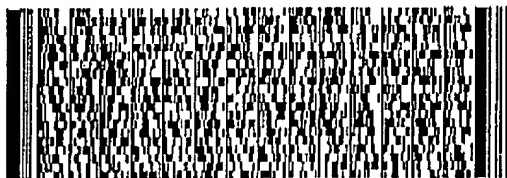
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414 Highwood Avenue

Leonida, NJ 07605



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Amy Weintraub

From: FedEx [donotreply@fedex.com]
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The tracking number of this shipment was 792229372540.

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&action=track&language=english&entry_code=us

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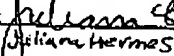
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MAY 02 2005

I hereby certify that this correspondence is being transmitted by facsimile to the United States Patent and Trademark Office at (703) 872-6306, on May 2, 2005

QUINE INTELLECTUAL PROPERTY LAW GROUP, P.C.

By


William C. Bertrand

Attorney Docket No: 26-003700US

Client Ref: NS104D1

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Peter Palese, et al.

Application No.: 09/396,539

Filed: September 14, 1999

For: RECOMBINANT NEGATIVE
STRAND RNA VIRUS EXPRESSION
SYSTEMS AND VACCINES

Examiner: Terry Alan McKelvey

Art Unit: 1636

Confirmation No.: 7591

CONSENT OF ASSIGNEE MEDIMMUNE
VACCINES, INC. PURSUANT TO 37
C.F.R. 1.48(c)(5) TO ADD INVENTOR(S)Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

A Petition to Change Inventorship Pursuant to 37 C.F.R. §1.48(c) in the above named application ("the Application") is being filed to add inventors Mark Krystal and Jeffrey Parvin due to claim amendments. A separate Petition to Change Inventorship Pursuant to 37 C.F.R. §1.48(b) to delete inventor Adolfo Garcia Sastre due to claim amendments is filed concurrently.

Assignments of the Application from correct inventors Peter Palese, Mark Krystal, and Jeffrey Parvin showing chain of assignment to MedImmune Vaccines, Inc., have been filed with a Statement under 37 C.F.R. §3.73(b) filed with the USPTO on December 14, 2004.

Pursuant to 37 C.F.R. §1.48(c)(5) MedImmune Vaccines, Inc. hereby consents to the addition of the omitted inventors Mark Krystal and Jeffrey Parvin to the Application.

Dated: 2 May 2005



Name: William C. Bertrand

Title: Vice President, General Counsel

MAY 02 2005

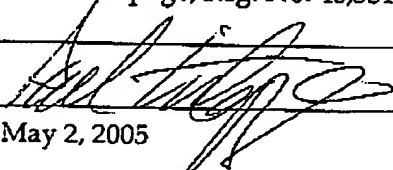
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Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE
PTO/SB/21 (09-04)

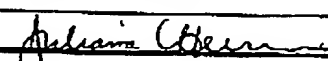
TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	09/396,539	
	Filing Date	September 14, 1999	
	First Named Inventor	Peter Palese	
	Group Art Unit	1636	
	Examiner Name	Terry Alan McKelvey	
Total Number of Pages in This Submission	49	Attorney Docket Number	26-003700US

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment / Response <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Petition to Change Inventorship Pursuant to 37 CFR 1.48(b) <input checked="" type="checkbox"/> Petition to Change Inventorship Pursuant to 37 CFR 1.48(c) <input checked="" type="checkbox"/> Statements Pursuant to 37 CFR 1.48(c) <input checked="" type="checkbox"/> Executed Declaration (3 pages) <input checked="" type="checkbox"/> Petition Pursuant to 37 CFR 1.47(a) To accept signed Declaration... <input checked="" type="checkbox"/> Two Declarations Accompanying Petition Under 37 CFR 1.47(a) <input checked="" type="checkbox"/> Exhibit A: Submission of Statement under 37 CFR 3.73(b) <input checked="" type="checkbox"/> Exhibit B: Letter to Peter Palese (12/03/04) w/ FedEx receipt <input checked="" type="checkbox"/> Exhibit C: Email to Todd Pazdera (03/04/05)	<input checked="" type="checkbox"/> Exhibit D: Email to Jonathan Klein-Evans (3/11/05) <input checked="" type="checkbox"/> Exhibit E: Letter to Peter Palese (3/14/05) w/ FedEx Receipt <input checked="" type="checkbox"/> Consent of Assignee Pursuant to 37 CFR 1.48(c)(5) to add inventors <input type="checkbox"/> Additional Enclosure(s) (please identify below): <div style="border: 1px solid black; height: 50px; width: 100%;"></div>
Authorization to Charge Deposit Account Please charge Deposit Account No. 50-0893 for any additional fees associated with this paper or during the pendency of this application, including any extensions of time for consideration of the documents enclosed.		
Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual name	Paul Littlepage, Reg. No. 48,581, Quine Intellectual Property Law Group, P.C.	
Signature		
Date	May 2, 2005	

CERTIFICATE OF FACSIMILE

I hereby certify that this correspondence is being transmitted by facsimile to 703-872-9306 of the United States Patent and Trademark Office, addressed to Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on this date:			
Typed or printed name	Juliana Hermes		
Signature		Date	May 2, 2005

Approved for use through 07/31/2005. OMB 0651-0032
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FEE TRANSMITTAL for FY 2004

Effective 10/01/2003. Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$) 390.00

Complete if Known

Application Number	09/396,539
Filing Date	September 14, 1999
First Named Inventor	Peter Palese
Examiner Name	Terry Alan McKelvey
Art Unit	1636
Attorney Docket No.	26-003700US

METHOD OF PAYMENT (check all that apply)

☐ Check ☐ Credit card ☐ Money Order ☐ Other ☐ None

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Deposit Account Number: 50-0893
 Deposit Account Name: Quine Intellectual Property Law Group, P.C.

The Director is authorized to: (check all that apply)

☒ Charge fee(s) indicated below ☐ Credit any overpayments

☒ Charge any additional fee(s) or any underpayment of fee(s)

☐ Charge fee(s) indicated below, except for the filing fee to the above-identified deposit account.

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1001 780	2001 395	Utility filing fee	
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1) (\$)			

2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1202 18	2202 9	Claims in excess of 20	
1201 86	2201 43	Independent claims in excess of 3	
1203 290	2203 145	Multiple dependent claim, if not paid	
1204 86	2204 43	** Reissue independent claims over original patent	
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent	
SUBTOTAL (2) (\$)			

**or number previously paid, if greater; For Reissues, see above

FEE CALCULATION (continued)

3. ADDITIONAL FEES

Large Entity Fee Code (\$)	Small Entity Fee Code (\$)	Fee Description	Fee Paid
1051 130	2051 65	Surcharge - late filing fee or oath	
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	2053 130	Non-English specification	
1812 2,520	2812 2,520	For filing a request for <i>ex parte</i> reexamination	
1804 920*	2804 920*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	2805 1,840*	Requesting publication of SIR after Examiner action	
1251 120	2251 60	Extension for reply within first month	
1252 450	2252 225	Extension for reply within second month	
1253 1020	2253 510	Extension for reply within third month	
1254 1,590	2254 795	Extension for reply within fourth month	
1255 2160	2255 1080	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 330	2402 165	Filing a brief in support of an appeal	
1403 290	2403 145	Request for oral hearing	
1451 1,510	2451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,330	2453 665	Petition to revive - unintentional	
1501 1,330	2501 665	Utility issue fee (or reissue)	
1502 480	2502 240	Design issue fee	
1503 640	2503 320	Plant issue fee	
1460 130	2460 130	Petitions to the Commissioner	
1807 50	2807 50	Processing fee under 37 CFR 1.17(q)	
1806 180	2806 180	Submission of Information Disclosure Stmt	
8021 40	28021 40	Recording each patent assignment per property (times number of properties)	
1809 770	2809 385	Filing a submission after final rejection (37 CFR 1.129(a))	
1810 770	2810 385	For each additional invention to be examined (37 CFR 1.129(b))	
1801 770	2801 385	Request for Continued Examination (RCE)	
1802 900	2802 900	Request for expedited examination of a design application	
Other fee (specify) 3 Petition Fees: 1.17(i), 1.17(j), 1.17(h)			390.00

*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) 390.00

SUBMITTED BY

Name (Print/Type)	Paul Littlepage	Registration No. (Attorney Agent)	48,581	Telephone	
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